



PAH-102

IN THE UNITED STATES PATENT & TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant: Anders Jonsson : Examiner: Glenn F. Myers
: :
Title: Rotator : Group Art Unit: 3652
: :
Serial No.: 10/502,017 : :
: :
Filed: December 17, 2004 :


Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Mail Stop: Appeal Briefs, Patents

REPLY BRIEF

This Reply Brief is being filed in response to the Examiner's Answer, mailed on January 4, 2011, in connection with the pending appeal of the above identified patent application.

**I hereby certify that this correspondence is
being deposited with the United States Postal Service
as first class mail in an envelope addressed to
Commissioner for Patents, P.O. Box 1450, Alexandria,
VA 22313-1450, on the date indicated below.**


MARK P. STONE
Reg. No. 27,954

2/28/11
(Date of Deposit)

Starting at page 10, paragraph 33 and continuing onto page 11 of the Examiner's Answer, the Examiner addresses the arguments advanced in Applicant's Appeal Brief filed on October 14, 2010.

Starting at the first line of paragraph 33 of the Examiner's Answer and continuing onto page 11, line 2, the Examiner argues that the Dessaux patent discloses a relative position sensor for determining the relative position of rotation between a rotor and a stator. However, Applicant has already conceded that the Dessaux patent discloses position sensors (Applicant's Appeal Brief, page 7).

The thrust of Applicant's argument in the Appeal Brief is that although the Dessaux patent discloses position sensors, it fails to teach or suggest any means for limiting the extent of rotation between a rotor and a stator, based upon a determined value of the relative position of the rotor and the stator, for limiting twisting of attached hoses and/or cables. (Applicant's Appeal Brief, pages 7 – 8).

The Examiner's Answer refers to column 1, lines 41 – 47 of the Dessaux Specification as referring to "... protection against risk of shearing and deterioration of the feed and remote control cable in event the lifting cables become twisted". However, this portion of the Dessaux Specification has been addressed in Applicant's Appeal Brief, pages 7 – 8. More specifically, the portion of the Dessaux Specification quoted in the Examiner's Answer refers to background

prior art discussed in the Dessaux Specification and not to the invention Dessaux patent itself. Moreover, the quoted portion refers to protection against the risk of shearing and deterioration of the feed and remote control cable in event the lifting cables become twisted (emphasis added). Thus, no positive means for preventing the twisting of the cables is provided, and protection against shearing and deterioration of the feed and remote control cable is provided only after the cables have already become twisted.

Contrary to this disclosure in the Dessaux Specification, the method and apparatus disclosed by Applicant and defined by independent claims 1 and 9 provide positive protection against shearing and twisting of cables and hoses before the cables and hoses become twisted by limiting the extent of rotation of the rotor relative to the stator based upon the determined relative position of rotation between the rotor and the stator. The Dessaux patent fails to provide any means for limiting the extent of rotation of a rotor relative to a stator based upon the relative position determined by a position sensor.

At page 11, lines 7-8 of the Examiner's Answer, the Examiner refers to Figure 2 of the Dessaux drawing as showing that cables 25, 27, 26 and 28 are not twisted. However, neither Figure 2 of the drawing or the Dessaux Specification disclose that the cables illustrated in Figure 2 of the drawing are not twisted as a result of positively limiting the extent of rotation of a rotor relative to a stator, based upon a relative position determined by a position sensor, as disclosed by Applicant and as positively recited in independent claims 1 and 9.

For the reasons discussed herein, in the previously filed Appeal Brief, and during the prosecution of the Patent Application, Applicant respectfully submits that appealed independent claims 1 and 9 are allowable over the prior art applied in the Final Action, and respectfully requests that the prior art rejection of the claims be reversed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark P. Stone', written in a cursive style.

Mark P. Stone
Registration No. 27, 954
Attorney for Applicant
400 Columbus Avenue
Valhalla, NY 10595
914-769-1106